

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SEAN GILMORE,

Case No. 1:17-cv-729

Plaintiff,
vs.
Judge Timothy S. Black
Magistrate Judge Stephanie K. Bowman

SGT. BLANKETSHIP, *et al.*,

Defendants.

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 7)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and memoranda filed with this Court, and on January 2, 2018, submitted a Report and Recommendation. (Doc. 7). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation (Doc. 7) should be and is hereby adopted in its entirety.

Accordingly, all claims in Plaintiff's Amended Complaint (Doc. 5) are hereby **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C.

§ 1915A(b)(1), with the exception of Plaintiff's Eighth Amendment failure to protect
claim against defendant Sgt. Blanketship, which claim shall proceed.

IT IS SO ORDERED.

Date:

1-29-18

Timothy S. Black
Timothy S. Black
United States District Judge